

NM Environment Department



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This reference is designed to provide concise guidelines for implementing burns in accordance with the smoke regulations in New Mexico.

Open Burning and Smoke Management

WHAT'S THE DIFFERENCE?

The Open Burning Regulation applies if you burn no more than 10 acres or 1,000 cubic feet of piled vegetative material in a day. Smoke Management applies if you plan to burn more than 10 acres or 1,000 cubic feet (if piled) in one day. The level of smoke management needed depends on the amount of emissions that will be produced.

Smoke Management Program

To meet the requirements of the Smoke Management Regulation, managers must consider actions that can be taken in lieu of burning or to reduce the amount and duration of smoke produced by larger burning projects categorized as SMP II. These are separated into two categories:

Alternatives to Burning

An alternative to burning is any method of removing or reducing fuels by mechanical, biological, or chemical treatments that replaces the use of fire for at least three years. Non-burning alternatives should, if they are to be satisfactory treatments, mimic at least some of the effects for which prescribed burning is typically used.

Examples are the plowing and tilling of vegetation left after harvesting in an agricultural field, or application of approved herbicides in conjunction with mechanical removal of vegetation.

Emission Reduction Technique (ERT)

ERT is any burning strategy to minimize the amount of actual smoke (emissions) produced by fire. ERT is used in conjunction with fire and is not a replacement for fire.

However, for the purposes of this regulation, a technique used within three years of a burning operation is an emission reduction technique. If that same technique replaces fire for three years or more, the technique is considered an alternative to burning.

WHAT DOES THE AIR QUALITY BUREAU DO WITH THE INFORMATION I SUBMIT?

The information supplied by SMP I and SMP II burners is compiled on a daily basis by airshed. This enables the AQB to consider the effects of smoke production and weather conditions on air quality in the airshed. If it appears that air quality would be threatened, SMP II burners may be asked to modify or postpone their burn project. SMP I burners will not be affected.

The Air Quality Bureau submits the prescribed-burn data from the smoke management system to the EPA, which enhances processes of formulating new regulations and setting policies to protect health and the environment at the state and federal level.



WHY A SMOKE MANAGEMENT PROGRAM (SMP)?

Air Quality regulations are necessary to preserve the quality of air that all New Mexicans breathe and to protect our scenic views. New Mexico air quality regulations require that all users of prescribed fire and wildfire management submit information about their burns through the smoke management application and follow Smoke Management Regulations (20.2.65 NMAC).

New to SMP system? Send your user request via <https://sep.net.env.nm.gov/reg>

For registration, notifying, and tracking:

<https://air.net.env.nm.gov/smoke/?0>

SMOKE MANAGEMENT PROGRAM I

More than Open Burning and less than 1 ton of PM 10 emissions per day.

Registration, Notification and Tracking Required.

- Fill out the proper forms.
- Visual monitoring and documentation is required for all burns.
- At least 300 ft. from neighboring property.
- 1 hour after sunrise to 1 hour before sunset.
- Ventilation Index must be good or better.
- Notify local fire authority and perform one method of public notification.
- If burning will take place less than 1 mile from a populated area, NMED may require instrument monitoring in addition to the visual monitoring (notify NMED).
- Complete tracking forms within 2 weeks of Burn project completion.

***For prescribed burns (SMP I and SMP II), please send notification to the department at latest by 10 am one business day prior to ignition. (preferred method—notification via smoke management program application)**

SMOKE MANAGEMENT PROGRAM II

Greater than or equal to 1 ton of PM 10 emissions per day.

Registration, Notification and Tracking Required.

- Fill out the proper forms.
- Visual monitoring is required for all burns.
- Review smoke management educational material.
- Consider alternatives to burning.
- Notify local fire department.
- Implement at least one Emission Reduction Technique.
- Ventilation Index must be good or better.
- If ignition is less than 15 miles of a populated area, additional public notification and a waiver are required.

WILDLAND FIRE USE

Wildfire use exceeding 10 acres should be registered with the department by one business day following the decision to manage wildfire. Notify the department daily by 10 am of its status. Visual monitoring, public notification, fire activity tracking, and records keeping should be done according to 20.2.65.104 NMAC.

OPEN BURNING REGULATION:

Key Requirements:

- No registration is necessary.
- At least 300 ft. from occupied buildings on neighboring property.
- 1 hr. after sunrise to 1 hr. before sunset.
- Attend at all times.
- No trash (tires, etc.).
- Notify local fire department.
- If more than 1 acre or 100 cu. ft., notify neighbors within ¼ mile.
- Material must be as dry as possible.

INDIVIDUAL WAIVERS

Individual waivers can be obtained for SMP I and SMP II for time of day, setbacks and ventilation category that should be submitted to the department only if a project does not satisfy the statewide waiver thresholds. SMP II can also obtain a waiver for the use of emission reduction techniques.

Waiver requests must be submitted at the time of registration except for ventilation category. The burn must not proceed until an approval has been received and can only proceed under permitted conditions.

HELPFUL INFORMATION

- Documentation must be kept for at least one year and only vegetative material may be burned.
- Review of the New Mexico Smoke Management Program Guidance Document will count as Smoke Management Education. Air curtain incinerators are under separate regulations which require permits.
- **Note:** Compliance with these air quality regulations does not relieve the burner from any local burning ordinances, fire safety restrictions issued by other state or local authorities, or the consequences of an escaped fire.

STATEWIDE VENTILATION WAIVER

- The statewide waiver (for SMP I and SMP II) allows limited burning during times when ventilation is less than good under conditions that will minimize smoke impacts
- Burners do not need to send a waiver request to use this waiver.
- Link to statewide waiver: <https://www.env.nm.gov/air-quality/wp-content/uploads/sites/2/2025/02/VentilationWaiver>

SMP I applies if you burn this much per day. Acres exceeding these limits is considered SMP II

Vegetation Type	Acres
Field Crops	11-64 acres
Shrub Land	11-33 acres
Forest	11-22 acres
Grass	11-99 acres
Piled Material	1001-4999 cubic feet

Open Burning regulation (20.2.60 NMAC):

<https://www.srca.nm.gov/parts/title20/20.002.0060.html>

Smoke Management Program regulation: (20.2.65 NMAC):

<https://www.srca.nm.gov/parts/title20/20.002.0065.html>

Visit our smoke management website at <https://www.env.nm.gov/air-quality/smp/>